

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-10 are pending in the application, with claim 1 being the independent claim.

Claims 1-2 are finally rejected under 35 U.S.C. §103(a) as obvious over patent number US 2,181,659 to Johnson (hereinafter “Johnson”) and US 5,667,054 to Van den Goor (hereafter “Van den Goor”). While claim 2 is not mentioned in the statement of the rejection, Applicants assume that it was intended to be, as the ensuing explanation mentions claims 1 and 2. Claim 3 is rejected under 35 U.S.C. §103(a) as obvious over Johnson and Van den Goor in view of US patent 6,241,080 to Tuomikoski (hereafter “Tuomikoski”). Claims 4-6 are under 35 U.S.C. §103(a) as obvious over Johnson and Van den Goor in view of US publication 2003/0168323 to Frost (hereafter “Frost”). Claims 7-10 are under 35 U.S.C. §103(a) as obvious over Johnson and Van den Goor in view of US patent number 2,850,149 to Bankauf (hereafter “Bankauf”).

Based on the following Remarks and the above Amendment, Applicants respectfully request the reconsideration of the outstanding rejections.

With respect to the rejection of claims over Johnson and Van den Goor, Applicants note that this combination is improper and that one of ordinary skill would not look to Van den Goor to remedy the deficiencies of Johnson. Nor would it be feasible to combine the teachings of these two references. The Office Action states that sleeve 50-51 of Van den Goor provide an offset-bushing which one of ordinary skill in the art would have found obvious to include in the conveyor system of Johnson. Applicants respectfully and strongly disagree. Van den Goor’s conveyor system is quite different from that of Johnson: it includes overlapping platforms that can pivot independently from the platform and are driven by a link system including horizontal pins. [*Van den Goor col. 1: 50–col. 2: 10; Figs. 2 and 4*] Further, the reference numbers 50-51

refer to sleeves and not bushings. On the contrary, the conveyor system of Johnson is a simple, two-dimensional conveyor system whose pivoting is not independent from the platform and which is intended to retain easily and without excess weight to a preexisting chain, without the need for a new chain. [*Johnson col. 1:1-10*] Not only is the link assembly of Johnson incapable of receiving a sleeve or bushing as seen from figure 6, but would also destroy the intended purpose of the Johnson's invention to change the design of the chain, making it more cumbersome, with additional parts, with additional weight, and requiring a new chain.

In addition to destroying the purpose of Johnson as described above, the sleeve of Van den Goor cannot be included in the conveyor system of Johnson for yet another reason. The inclusion of a sleeve would render inoperable the locking mechanism of the bosses 9 and 10. [*Johnson col 2: 1-11; Fig. 6*] The bosses 9 and 10 engage with projection 11 received in slot 12 of the pintle 15 to hold the pintle in place and inhibit turning. Inclusion of a sleeve, such as sleeve 50-51 taught by Van den Goor would inhibit this engagement if that sleeve protruded beyond the socket 6, as is the case with the sleeve of Van den Goor. If the sleeve does not extend beyond the socket 6, then it would be superfluous and would have absolutely no benefit or effect. Therefore, one of ordinary skill would not be able to, least of all, driven to, incorporate the teachings of Van den Goor, and sleeve 50-51, into the conveyor system of Johnson.

To further highlight this distinction, the Applicants have amended the independent claim to further emphasize that the sleeve 50-51 of Van den Goor is not analogous to the offset bushing of the present invention by stating that the offset bushing does not extend into the bore in the first link block. This feature can readily be seen in figure 7-13 and includes no new matter.

The other prior art relied upon by the Office Action, including Tuomikoski, Frost, and Bankauf, is even less relevant than Johnson and Van den Goor and do not remedy the deficiencies of Johnson and Van den Goor.

For at least the reasons above, the prior art references, taken alone or in combination, neither disclose nor suggest the combination of claim 1. As such, allowance of claim 1 is respectfully requested. Claims 2-10 depend from claim 1 and, while being independently allowable, are at least allowable for the reasons discussed above with respect to claim 1.

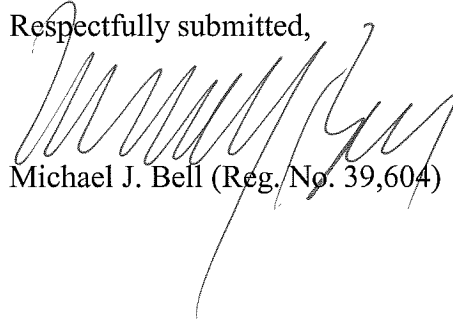
In view of the aforementioned amendments and explanation regarding the rejections, it is requested that the rejections be withdrawn and the claims permitted to issue.

Conclusion

Applicants respectfully submit that the foregoing remarks demonstrate that entry of these amendments places the present application in condition for allowance, or in the alternative, better form for appeal. All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)

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HOWREY LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
(703) 663-3600